

ORDINANCE 117097

AN ORDINANCE relating to historic preservation, imposing controls upon the Samuel Hyde House, a Landmark designated by the Landmarks Preservation Board pursuant to Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, Chapter 25.12 of the Seattle Municipal Code (SMC), (the Landmarks Ordinance) establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public hearing on January 21, 1981, voted to approve the nomination of the Samuel Hyde House at 3726 East Madison Street in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on March 4, 1981, the Board voted to approve the designation of the Samuel Hyde House and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on May 20, 1981, the Board and the then owners of the designated property agreed to controls and incentives; and

WHEREAS, on December 28, 1981, the City Council passed Ordinance 110355 imposing those controls; and

WHEREAS, Ordinance 110355 contained an error in the legal description of the designated property; and

WHEREAS, on February 16, 1994, the Board and the current owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of those controls and incentives; and Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the Samuel Hyde House and its site, more particularly described as:

That portion of Lots 8, 9 and 10, lying northwesterly of East Madison Street; and all of Lots 11 and 12; all in Block 6, John J. McGilvra's 2nd Addition to the City of Seattle, according to the plat thereof, recorded in Volume 1 of Plats, page 80, in King County, Washington

as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

1 1) It embodies the distinctive visible characteristics
2 of an architectural style, or period, or of a
3 method of construction;
4 is hereby acknowledged.

5 **Section 2. CONTROLS.** The following controls are hereby
6 imposed on the features and characteristics of the Samuel Hyde
7 House and its site which were designated by the Board for
8 preservation:

9 A. Except as provided in subsections B, C, and D
10 below, a Certificate of Approval must be obtained from the
11 Landmarks Preservation Board pursuant to SMC 25.12.670 et
12 seq., or the time for denying an application for a
13 Certificate of Approval must have expired, before the owners
14 may make alterations or significant changes to:

- 15 a) the entire exterior of the house and the
16 carriage house; and
17 b) the entire site, including major landscape
18 elements and the garden wall, excluding minor
19 plantings.

20 B. If after examination of plans and specifications the
21 Historic Preservation Officer determines that any of the
22 following exterior alterations is consistent with the
23 purposes of the Landmarks Preservation Ordinance, the
24 Historic Preservation Officer may approve the alteration
25 without need for further action by the Board: the addition or
26 elimination of duct conduits, HVAC vents, grilles, exterior
27 fire stairs, safety railings, pipes, and other similar wiring
28 or mechanical elements necessary for the normal operation of
29 the building, and skylights for the carriage house, and the
30 penetration of the north garden wall for access, provided no
31 penetration shall be made within twenty (20) feet of the
32 northeast corner of the wall. If the Historic Preservation
33 Officer disapproves such alterations, the owners may submit

1 revised plans and specifications to the Historic Preservation
2 Officer or may apply to the Board for a Certificate of
3 Approval for the alterations.

4 C. No Certificate of Approval shall be required, and
5 any changes may be permitted without further review, for the
6 following:

- 7 1) any in-kind maintenance or repairs of the
8 features noted in Section A;
- 9 2) removal of the concrete pad currently located
10 on the north portion of the site;
- 11 3) installation of security features that are
12 unobtrusive and that can be removed without
13 damage to the buildings or site;
- 14 4) installation of fence addition as shown on the
15 plan attached hereto as Exhibit A;
- 16 5) installation of ~~exterior~~ exterior garden lighting.

17 D. STATEMENT OF INTENT

18 The owner shall file with the City's Historic
19 Preservation Officer a Statement of Intent not less than
20 thirty (30) days prior to making alterations or significant
21 changes to the following described features: In the main
22 house: the wood panelling, molding and trim, the painted
23 murals, and general layout of the following first floor
24 rooms: the central hall, the reception/music room, the
25 parlor, the dining room, and the breakfast room, and the
26 Tiffany-style window on the stair landing. No statement of
27 intent shall be required for alterations or significant
28 changes to the floor and wall coverings, paint, light
29 fixtures, or other changes that would not permanently affect
30 the features described above. The Landmarks Preservation
31 Board and/or the City Historic Preservation Officer may, upon
32 receipt of such notice, provide written comments within 21
33 days to the owner suggesting alternatives whereby said

1 features might be preserved. In the event such comments are
2 received, the owner agrees to consider said comments in good
3 faith and incorporate said suggestions as it deems
4 appropriate.

5 E. POTENTIAL CHANGES TO THE PROPERTY

6 1. Potential changes to the exterior of the
7 Samuel Hyde House and site that are known at the time of
8 preparing this document are listed below. The purpose of
9 describing these potential changes is for the owner and the
10 Landmarks Preservation Board to acknowledge the character and
11 extent of changes that are anticipated. However, unless
12 excluded from Landmarks Preservation Board review elsewhere,
13 these changes will require a Certificate of Approval from the
14 Landmarks Preservation Board pursuant to their review under
15 the Design Guidelines set forth below.

- 16 a. Addition of an accessory structure to be
17 located between the north side of the
18 property and E. Galer Street.
19 b. Use of the area between the north side of
20 the property and E. Galer Street for
21 additional parking.
22 c. Exterior alterations necessary for the
23 conversion of the carriage house to
24 another use.

25 2. Design Guidelines

26 New additions, exterior alterations, or related new
27 construction shall not destroy historic materials that
28 characterize the property. The new work shall be
29 differentiated from the old and shall be compatible with the
30 massing, size, scale, and architectural features to protect
31 the historic integrity of the property and its environment.
32 New additions and adjacent or related new construction shall
33 be undertaken in such a manner that if removed in the future,

1 the essential form and integrity of the historic property and
2 its environment would be unimpaired.

3 F. CODE COMPLIANCE

4 The procedures outlined above in Sections A-D of this
5 agreement are for compliance with SMC 25.12, and do not
6 affect the owner's obligations with regard to other permits
7 and plans required by the Seattle Municipal Code.

8 **Section 3. INCENTIVES.**

9 A. Economic incentives may be made available as set
10 forth in the Controls and Incentives Agreement between the Owner
11 and the Board, as they become available in the future.

12 B. SMC Titles 23 and 24 provide for special exceptions
13 which may be available for uses not normally permitted in a
14 particular zoning classification by means of an administrative
15 conditional use.

16 **Section 4.** Enforcement of this Ordinance and penalties for
17 its violation shall be as provided in Section 25.12.910 of the
18 Seattle Municipal Code.

19 **Section 5.** The entry in the Table of Historical Landmarks
20 contained in Chapter 25.32, SMC, for the Samuel Hyde House is
21 hereby amended to substitute the number of this Ordinance.

22 **Section 6.** The City Clerk is hereby directed to record this
23 ordinance with the King County Director of Records and Elections,
24 deliver two copies to the City Historic Preservation Officer and
25 deliver one copy to the Director of the Department of Construction
26 and Land Use.

27 **Section 7.** This ordinance shall take effect and be in force
28 thirty days from and after its passage and approval, if approved
29 by the Mayor; otherwise it shall take effect at the time it shall
30 become a law under the provisions of the City Charter.

1 PASSED by the City Council the 18 day of April,
2 1994, and signed by me in open session in authentication of its
3 passage this 18 day of April, 1994.

4
5 
President of the City Council

6 Approved by me this 19 day of April, 1994.

7
8 
9 Norman B. Rice, Mayor

10 Filed by me this 19 day of April, 1994.

11 
12 Deputy Clerk

13 (SEAL)

14 Published _____

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HYDEHSE.ord

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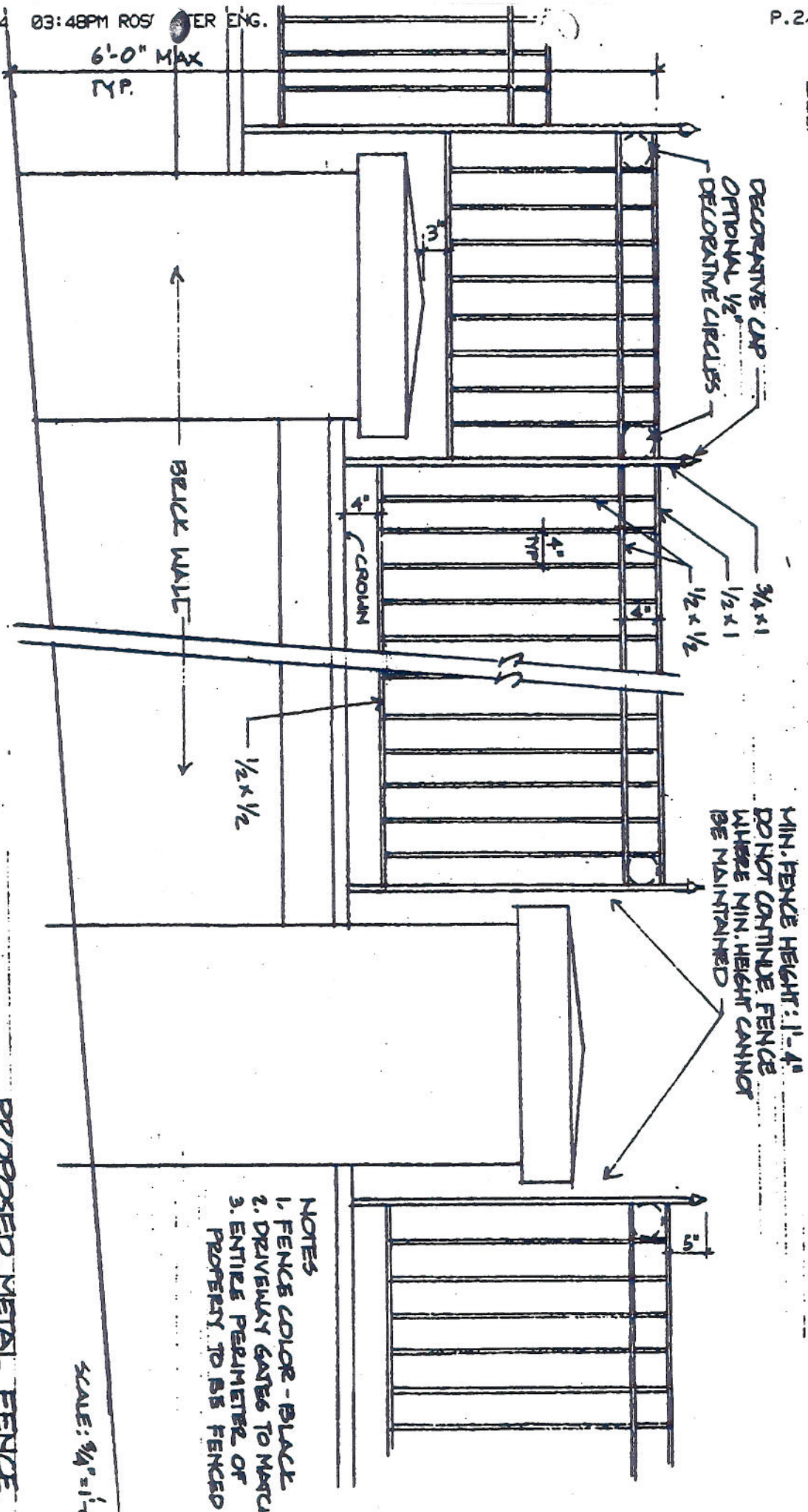
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DECORATIVE CAP
OPTIONAL 1/2"
DECORATIVE CIRCLES

$$\frac{3}{4} \times 1$$
$$\frac{1}{2} \times 1$$
$$\frac{1}{2} \times \frac{1}{2}$$

MIN. FENCE HEIGHT: 1'-4"
DO NOT COMBINE FENCE
WHERE MIN. HEIGHT CANNOT
BE MAINTAINED

—CROOK

BRUCE WALKER

$$-\frac{1}{2}x^{\frac{1}{2}}$$

NOTES

1. FENCE COLOR - BLACK
2. DRIVEWAY GATES TO MATCH
3. ENTIRE PERIMETER OF PROPERTY TO BE FENCED

SCALE: $3/4" = 1'$

PROPOSED METAL FENCE
3826 E. MADISON
SEATTLE, WA.